

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Kris Sarayn Kollyns,)	C/A No. 3:05-3022-JFA-JRM
)	
Plaintiff,)	
v.)	ORDER
)	
Dr. Jose Chavez, M.D., in his individual)	
capacity; Dr. Selman Watson, in his individual)	
capacity; and South Carolina Department)	
of Mental Health,)	
)	
Defendants.)	
_____)	

This matter is before the court for review of the Magistrate Judge's Report and Recommendation made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02.

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the court. *Mathews v. Weber*, 423 U.S. 261 (1976). The court is charged with making a *de novo* determination of those portions of the Report and Recommendation to which specific objection is made, and the court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge, or recommit the matter to the Magistrate Judge with instructions. *See* 28 U.S.C. § 636(b)(1).

The *pro se* plaintiff, Kris Sarayn Kollyns, initiated this action against the defendants

pursuant to 42 U.S.C. § 1983. He has been involuntarily committed to the South Carolina Department of Mental Health (“SCDMH”) as a Sexually Violent Predator (“SVP”) pursuant to the South Carolina Sexually Violent Predator Act, S.C. Code Ann. § 44-48-10, *et seq.* He alleges his Fourteenth Amendment rights were violated because the defendants denied him medical treatment for a hearing loss.

In a detailed and comprehensive Report and Recommendation filed with the court on July 25, 2006, the Magistrate Judge recommends that the defendants’ motion for summary judgment be granted. The parties were advised of their rights to file objections to the Report. Within the time limits prescribed by the local rules of this district, neither party has filed objections to the Report.

After carefully reviewing the applicable law, the record in this case, and the Report and Recommendation, the court finds that the Magistrate Judge’s Report fairly and accurately summarizes the facts and applies the correct principles of law. The court, therefore, adopts the recommendation of the Magistrate Judge in full and incorporates this Report by specific reference. The Report sets forth in detail the relevant facts involved in this case, and the court incorporates those facts as described in the Report without a recitation.

It is therefore ordered that the defendants’ motion for summary judgment is hereby granted.

IT IS SO ORDERED.

August 23, 2006
Columbia, South Carolina



Joseph F. Anderson, Jr.
United States District Judge